

Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID MATUSICKY

Defendant.

NO. CR 06-0199 RSM

**ORDER TO CONTINUE TRIAL DATE
AND PRE-TRIAL MOTIONS DEADLINE.**

ORDER OF THE COURT

This matter having come before the court on the Defendant's Motion to Continue the Pre-Trial Motions Deadline from July 6, 2006 to September 21, 2006, and a Motion to Continue the Trial date from August 21, 2006 to October 30, 2006, and the court having considered the arguments made by all parties, together with the balance of the records and files herein, This Court now finds as follows:

ORDER OF THE COURT - 1

Jesse Cantor, # 26736
RIOS CANTOR, P.S.
ATTORNEYS AT LAW
811 FIRST AVE, SUITE 200
SEATTLE, WA 98104
(206) 749-5600

1 That this Motion is the first motion to continue the pre-trial motions deadline and trial
2 date filed by any party;

3 That the Government will be distributing voluminous discovery to the defense during the
4 week of July 10, 2006, that includes discovery from a separate but related case, thereby requiring
5 additional time for effective defense preparation;

6 That the defendant understands his rights to a Speedy Trial pursuant to 18 U.S.C. Section
7 3161 and has executed a speedy trial waiver through November 15th 2006;

8 That no party, including the United States, opposes a Motion to Continue the pre-trial
9 motions deadline and the trial date.
10

11 That this period of delay is reasonable; that the defendants are joined for trial; that the
12 time for trial has not run; and that no motion for severance has yet been granted. 18 U.S.C.
13 Section 3161(h)(7);

14 The Court finds that taking into account the complexity of the case and the exercise of
15 due diligence, that the failure to grant the continuance would deny the defense the reasonable
16 time for effective trial preparation;

17 Accordingly, This Court finds that the ends of justice served by granting the requested
18 continuance outweigh the best interests of the public and the defendants in a speedy trial; 18
19 U.S.C. Section 3161(h)(8)(A) and Section 3161(h)(8)(B)(iv).
20

21 The new proposed dates of [September 21 , 2006], for the motions cut-off deadline, and
22 [October 30, 2006], for the trial date, do not appear to prejudice any party, including the
23 Government.

24 Accordingly, IT IS HEREBY ORDERED THAT:

25 ORDER OF THE COURT - 2

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1 The Pre-Trial Motions Cut-Off date shall be extended to September 21, 2006, with the
2 trial date of October 30, 2006.

3 It is further ordered that the period of delay resulting from this continuance is excludable
4 pursuant to 18 U.S.C. Section 3161(h)(8)(A) and (B) as to each co-defendant.

5
6 SO ORDERED ON THIS _17_ DAY OF July 2006.

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9
10 RICARDO S. MARTINEZ
11 UNITED STATES DISTRICT JUDGE

12
13
14 Presented by:

15 s/ Jesse Cantor

16 Jesse Cantor
17 Attorney for the Defendant.